



Application Number	
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KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL  
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## Application for a Lawful Development Certificate for a Proposed Use or Development

### Town and Country Planning Act 1990 (as amended)

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)  Northing (y)

Description

## Applicant Details

### Name/Company

Title

Mr

First name

Bruce

Surname

Wright

Company Name

Greenacre

### Address

Address line 1

New Mill

Address line 2

Holmfirth

Address line 3

Town/City

County

Country

United Kingdom

Postcode

HD9 7EX

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

## Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- Yes  
 No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

We propose to erect a small polytunnel (approximately 14ft x 30ft) on a field we own adjacent to our property. The polytunnel will be used exclusively for the cultivation of fruit and vegetables for personal consumption.

The structure will be:

Temporary, without permanent foundations.

Constructed with a lightweight metal frame and a polythene cover.

Movable and non-fixed, ensuring it does not constitute a permanent building or alteration to the land.

The land is designated as agricultural and located within the Green Belt. We are seeking confirmation that this structure qualifies as permitted development under agricultural use and does not require full planning permission.

Given its temporary nature, agricultural use, and lack of permanent impact on the landscape, we believe it falls within permitted development rights. We request a Lawful Development Certificate to confirm this status.

Does the proposal consist of, or include, a change of use of the land or building(s)?

- Yes  
 No

Has the proposal been started?

- Yes  
 No

## Grounds for Application

### Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The land has historically been used for grazing, which is a lawful agricultural use. Recently, we have begun fruit and vegetable cultivation, including the planting of fruit trees, which continues to align with agricultural use as defined in planning law.

There are no existing buildings on the site that are being altered or extended. The proposed polytunnel is a temporary, movable structure intended to support ongoing agricultural activities by enabling the cultivation of fruit and vegetables for personal consumption.

As agriculture is a permitted use within the Green Belt, and there has been no change of use from agricultural purposes, we believe the land's existing and intended use remains lawful.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

1. Location Plan (Scale 1:1250)
2. Site Plan (Scale 1:500)

Select the use class that relates to the existing or last use.

Other

Other (please specify)

agricultural

### Information about the proposed use(s)

Select the use class that relates to the proposed use.

Other

Other (please specify)

agricultural

Is the proposed operation or use

- Permanent  
 Temporary

If Temporary please give details

The proposed polytunnel is a temporary, movable structure made of a lightweight metal frame and a polythene cover, with no permanent foundations. It can be easily dismantled and relocated if necessary.

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

A Lawful Development Certificate should be granted because the proposed polytunnel falls within agricultural use and does not constitute development requiring planning permission.

- The land has been lawfully used for agriculture, historically for grazing, and is now being cultivated for fruit and vegetable production.
- The polytunnel is a temporary, movable structure, made of a lightweight metal frame and a polythene cover, with no permanent foundations.
- It will be solely used for personal fruit and vegetable cultivation, which is considered agricultural activity under planning law.
- Although the land is less than 5 hectares, it remains in agricultural use, and the polytunnel does not constitute a material change of use or significantly impact the openness of the Green Belt.
- There are no permanent buildings being erected, and the polytunnel supports the existing agricultural use of the land.
- As agriculture is a permitted use within the Green Belt, and the polytunnel is a temporary, ancillary structure, it should be considered lawful development and not require full planning permission.

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes  
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent  
 The applicant  
 Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes  
 No

## Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff  
(b) an elected member  
(c) related to a member of staff  
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes  
 No

## Interest in the Land

Please state the applicant's interest in the land

- Owner  
 Lessee  
 Occupier  
 Other

## Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Bruce Wright

Date

26/02/2025